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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
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8 LEE MURRAY SYKES, )  
9 Petitioner, ) 2:10-cv-00494-GMN-LRL  
10 vs. )  
11 ANTHONY SCILLIA, et al., ) ORDER  
12 Respondents. )  
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15 This matter is before the Court on Respondents' Motion for Order to Show Cause (ECF No.  
16 27) why Petitioner has failed to comply with the Court's order of February 23, 2011. Rather than  
17 comply with the Court's directive to advise the Court of his choice among three options to proceed  
18 with his federal habeas claims, Petitioner sought reconsideration of that Order. The Motion (ECF  
19 No. 27) is **GRANTED**.

20 The Court having denied reconsideration, Petitioner shall **by Monday, May 2, 2011**, advise  
21 the Court of his election among the options given in the February 23, 2011 Order. Petitioner's  
22 options are:

- 23 1. Submit a sworn declaration voluntarily abandoning the unexhausted claims in  
24 his federal habeas petition, and proceed only on the exhausted claims;  
25 2. Inform the Court of his intention to return to state court to exhaust his  
26 unexhausted claims, in which case his federal habeas petition will be denied  
without prejudice; or

All other terms or directives of that Order remain in effect. Failure to timely respond will result in dismissal of his petition with prejudice.

  
Gloria M. Navarro  
United States District Judge